

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND
LIABILITY ACT

14-1. Superfund State Contracts and Cooperative Agreements

1. **AUTHORITY.** To enter into a contract and/or cooperative agreement with states, political subdivisions thereof, and Indian Tribes, as appropriate, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, Section 104; 40 C.F.R. Part 35, Subpart O, "Cooperative Agreements and Superfund State Contracts for Superfund Response Actions"; and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan."
2. **TO WHOM DELEGATED.** Deputy director, Superfund and Emergency Management Division.
3. **LIMITATIONS.**
 - a. This authority shall be exercised subject to approved funding levels.
 - b. This authority does not extend to EPA procurement contracts.
 - c. The delegated official must consult with the regional counsel or designee prior to entering into a Superfund state contract or cooperative agreement.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the section chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. CERCLA §§ 101(23), 101(24), 105, 113, 116, 117, 118, 120, 121, and 126.
 - b. Federal Grant and Cooperative Agreement Act of 1977, P.L. No. 95-224, as amended, 31 U.S.C. §6301 et seq.
 - c. 40 C.F.R. Chapter 1, Subchapter B; 2 C.F.R. Parts 200 and 1500.
 - d. EPA Order Series 5700.
 - e. Delegation 1-14-A, Assistance Agreements.
 - f. Delegation 1-34, Litigation Representation.

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND
LIABILITY ACT

14-1. Superfund State Contracts and Cooperative Agreements

- g. Delegation 14-2, Responses.
- h. Delegation 14-22, Administrative Record and Public Participation.
- i. Delegation 14-30, Acquisition of Real Property.



Betsy Smidinger, Director
Superfund and Emergency Management Division

6/25/19

Date